

Message Text

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C O N F I D E N T I A L BERLIN 1033

E.O. 11652: GDS

TAGS: PGOV PFOR WB GW

SUBJECT: FRG PLANS FOR NEW EMPLOYEE CAREER CENTER IN BERLIN

REF: BONN 9420

1. FEDERAL EMPLOYMENT INSTITUTE (BUNDESANSTALT FUER ARBEIT, OR FEI) IS SEMI-AUTONOMOUS PUBLIC LAW INSTITUTION WITH RESPONSIBILITIES IN AREAS OF VOCATIONAL GUIDANCE, VOCATIONAL TRAINING, REHABILITATION OF HANDICAPPED WORKERS, VOCATIONAL AND LABOR MARKET RESEARCH, UNEMPLOYMENT BENEFITS AND GRANTING OF FUNDS FOR PRESERVATION AND CREATION OF JOBS. IT HAS THREE CONSTITUENT PARTS: CENTRAL OFFICE IN NUERNBERG LAND OFFICES, INCLUDING THAT IN BERLIN (LANDESARBEITSAMT), AND LOCAL OFFICES WITHIN LAENDER AND BERLIN. BERLIN LANDESARBEITSAMT WAS AUTONOMOUS UNIT IN EARLY POST-WAR YEARS OPERATING UNDER SENATOR FOR LABOR. FRG LAW IN 1952 CONCERNING THE ESTABLISHMENT OF THE FEDERAL INSTITUTE FOR LABOR PLACEMENT AND UNEMPLOYMENT INSURANCE ESTABLISHED AND DEFINED COMPETENCE OF FEDERAL INSTITUTE, INCORPORATED LAENDER AND LOCAL OFFICES INTO FEDERAL STRUCTURE, AND CONVERTED EMPLOYEES OF THOSE
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OFFICES INTO FEDERAL EMPLOYEES. SENAT CALLED AK ATTENTION

TO LAW IN LETTER APRIL 1, 1952, NOTING IT WOULD REQUIRE FEDERAL AUTHORITIES TO ASSUME CERTAIN RESPONSIBILITIES IN BERLIN AND REQUESTING AK TO PERMIT LAW TO BE TAKEN OVER IN BERLIN. WHILE WE FIND NO RECORD OF FORMAL ALLIED RESPONSE TO SENAT LETTER, LAW WAS TAKEN OVER BY MANTELGESETZ APRIL 30, 1952. AMENDING LAW FOR EMPLOYMENT AND LABOR PROMOTION, WHICH GAVE FEI ITS PRESENT NAME, LIKEWISE WAS TAKEN OVER BY MANTELGESETZ IN 1969 WITHOUT FORMAL ALLIED ACTION.

2. WHILE LAW PROVIDES THAT LAND AND LOCAL OFFICES WILL ADMINISTER THEMSELVES AUTONOMOUSLY WITHIN AREAS OF COMPETENCE, CENTRAL ORGANS OF FEI (ADMINISTRATIVE BOARD AND BOARD OF DIRECTORS) HAVE SUPERVISORY AUTHORITY AND MAY OVERRIDE LAND OFFICES IN CERTAIN INSTANCES. FRG PRESIDENT APPOINTS PRESIDENT AND PRINCIPAL DEPUTIES OF FEI AND, IN CONSULTATION WITH LAND OFFICIALS INCLUDING BERLIN SENAT, ALSO PRESIDENT AND PRINCIPAL DEPUTIES OF LAENDER OFFICES. GOVERNING ORGANS OF FEI, INCLUDING ADMINISTRATIVE BOARD, BOARD OF DIRECTORS, AND LAENDER ADMINISTRATIVE COMMITTEES (INCLUDING BERLIN ADMINISTRATIVE COMMITTEE) ARE MADE UP ONE-THIRD EACH OF REPRESENTATIVES OF LABOR, EMPLOYERS, AND PUBLIC BODIES. FRG HAS MAJOR SHARE IN FILLING PUBLIC SLOTS IN ADMINISTRATIVE BOARD AND BOARD OF DIRECTORS. SENAT PLAYS SAME FUNCTION FOR BERLIN LANDESARBEITSAMT'S ADMINISTRATIVE COMMITTEE.

3. FRG HAS SUBSTANTIAL SUPERVISORY ROLE OVER OPERATION OF FEI. MINISTER OF LABOR (ARBEIT UND SOZIALORDNUNG), FOR EXAMPLE, CAN, IN CONJUNCTION WITH MINISTER OF FINANCE, ISSUE REGULATIONS RELATING TO IMPLEMENTATION OF LAW. THESE REGULATIONS ARE ADOPTED IN BERLIN, IN TURN, IN NORMAL WAY, IE., AFTER PROMULGATION BY SENAT ACTIVITIES OF FEI, INCLUDING LAND OFFICES, ARE FINANCED BY COMPULSORY CONTRIBUTIONS FROM EMPLOYERS AND EMPLOYEES. ADMINISTRATIVE BOARD ESTABLISHES BUDGET AFTER CONSULTATIONS WITH LAENDER ADMINISTRATIVE COMMITTEES. BUDGET REQUIRES, HOWEVER, APPROVAL OF FRG BEFORE IT IS FINALIZED.

4. COMMENT: OPERATION OF BERLIN LANDESARBEITSAMT WITHIN FEI APPEARS TO BE PURSUANT TO ESTABLISHED PROCEDURES WITH RESPECT TO TAKEOVER OF LEGISLATION AND CONSISTENT WITH CONFIDENTIAL

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LIMITATIONS ON FRG AUTHORITY IN WESTERN SECTORS AS CONFIRMED BY QA. NEW EMPLOYEE CAREER INFORMATION, TRAINING AND EDUCATION CENTER, THEREFORE, PRESUMABLY COULD BE FOLDED INTO BERLIN OFFICE'S OPERATION AND ATTRACT RELATIVELY LITTLE ATTENTION IF HANDLED AS NON-POLITICAL MATTER. END COMMENT.KLEIN

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